



DEPARTMENT OF STATE
WASHINGTON

*Source
State*

In reply refer to
SCA:SZ:AMU/128

March 23, 1954

SECRET - URGENT

TO: Deputy Director, Plans
Room 1001 "L" Building
Central Intelligence Agency

FROM: Mr. Dennis A. Flinn
Director
Office of Security

It would be appreciated if this Office could be furnished with
any available information concerning the individuals listed on the
attached sheets.

Attachments:

5 Name Checks

BERTHELOT, Andre - *memo*
✓ FLICK, Friedrich - *MEMO*
LJUNGQVIST, Rolf - *NDI*
SURDIN, Maurice (Moshe) - *memo*
WEILL, Jacky Lazard - *memo*

1 m.pii - 23 March
fact for

3 memos rel'd in CSDB-19113
2 April '54
with

1 memo - CSDB-19113a
14 April
g/c

FOR COORDINATION WITH *State Dept*

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCES METHODS EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2001 2008

SECRET

6. 11

OMV No. 167

Dept. of State: Attn: MR. ELIOT B. COULTER

March, 1964

AMONGST, Dusseldorf, Germany

VISAS: Friedrich FLICK (Nonimmigrant): Request for Security Advisory Opinion

22 CFR 42.42 (j) (2)

1. Name: Friedrich FLICK (Nonimmigrant)
2. Birthplace: Kreuztal, Germany
3. Date: July 10, 1883
4. Occupation: Industrialist
5. Sex: Male
6. Nationality: German
7. Identifying data: Grey hair, blue eyes, 5' 10" tall
8. Past residences: 1883-1904 Kreuztal, Germany; 1904-1905 Kassel, Germany; 1905-1907 Cologne, Germany; 1907-1913 Kreuztal, Germany; 1913-1915 Schwerte/Ruhr, Germany; 1915-1923 Siegen, Germany; 1923-January 1945 Berlin-Gransowald, Germany, Taubertstr. 23; February 1945-June 13, 1945 Bad Teolz, Germany, Hofgut Sauerberg; June 13, 1945-August 25, 1950 Ffa-Fraunghelm, Euerberg, Germany, Landenberg; August 26, 1950-Present Dueseldorf, Germany, Haus Hahbeck
9. Affiliations: See remarks
10. Names of parents: Ernst and Philippine Flick nee Wieke, both deceased
11. Name of spouse: Marie Flick nee Schues
12. Destination: Pablo P. Mueller, 29 Broadway, New York, New York
13. References: Konrad Adenauer, Chancellor, Federal Republic of Germany; Dr. h. c. Robert Pferdmenges, Unter Sachsenhausen 4, Cologne, Germany, CDU Deputy of the Bundestag; Mr. E. Struve Hensel, General Counsel of the Department of Defense, Washington 25, D. C.
14. Accompanied by: Wife, Marie Flick

REMARKS: Subject alien has applied for a nonimmigrant B-1 visa to enable him to visit American business friends, including Pable P. Mueller, 29 Broadway, New York, for about one month.

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The files of the Berlin

VISA OFFICE
R & S
MAY 1964
TO SA

Memos attached

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The files of the Berlin Document Center reveal that applicant became a member of the Nazi Party on May 1, 1937, and also belonged to the NSKK, DAF, NSV, Veroin Deutscher Eisenhuettenwerke, Schiffahrts-technische Gesellschaft, RLB, and Deutsche Jagdgesellschaft. The records of the Reichswirtschaftsminister further reveal that on December 7, 1938, alien was appointed Wehrwirtschaftsfuehrer (Chief of Economic Defense). As head of Flick industries, he was and is one of the most important German industrialists.

On June 13, 1945, the applicant was arrested by United States Forces in Salzburg on suspicion of crimes against peace and humanity and held for trial by the American Military Tribunal No. IV at Nuernberg. The judgments of the Nuernberg International Tribunal in the Krupp, Goering, and other cases served as precedents. On December 22, 1947, Judges Charles B. SHARS, Frank E. RICHMAN and William C. CHRISTIANSON sentenced subject alien to seven years imprisonment (to date from his arrest in 1945) for employment of slave laborers and prisoners of war in his factories, for plunder and spoliation of French steel mills which he operated as trustee during the occupation, and for membership in and substantial contributions to the Himmler Circle of Friends, which gave funds and influence to the SS although aware of its criminal activities. The applicant was confined in Landsberg War Crimes Prison and, with time off for good behavior, was released on August 23, 1950.

The above statements are confirmed by the controlled American sources, which states additionally that on March 12, 1951, American intelligence agencies in Germany were informed that subject alien was to be considered a possible security threat.

It would appear, therefore, that the applicant is inadmissible under Section 212 (a) (29) of the Immigration and Nationality Act of 1952, as interpreted in 22 CFR 42.42 (j) (2), as a war criminal convicted for activities or conduct contrary to civilization and human decency.

For two years commencing almost immediately after his release from Landsberg, the prospective visitor was engaged in a running legal battle with the Allied High Commission over deconcentration proceedings instituted against the Flick industries under Allied Law No. 27. The alien's American counsel throughout this period was Mr. H. Struve HENSEL, then senior partner of the New York City law firm of Carter, Ledyard & Milburn.

Following this litigation

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Following this litigation, Mr. Hensel continued to act as counsel for the applicant and on February 20, 1953, addressed a letter to the United States High Commissioner for Germany, Dr. James B. Conant, petitioning for reversal of the 1947 judgment of the Ruernberg Tribunal. The defense alleges that the alien had no control over the source of labor supplied to him by manpower authorities, that the foreign slave laborers employed by Flick industries were better treated than in other camps, that prisoners of war were not employed in a manner contrary to international law, that the French steel mills operated by the applicant were returned to their owners in better condition than when taken over by German authorities, that the annual contributions to the Keppler Circle were an unavoidable form of life insurance, and that the individual members of the group had no knowledge of the uses to which Himmler's SS put these donations. It is understood that this letter has gone unanswered.

All of these favorable circumstances, except the point of law concerning the employment of prisoners of war, are brought out fully in the judgment of the Tribunal. It comes as something of a shock, therefore, to someone reading for the first time the complete statement of the Court, as the responsible consular officer has done, that after this long accounting therein of extenuating circumstances, the defendant is found guilty of the three counts listed above and sentenced to seven years imprisonment. Nevertheless, the conviction for war crimes by a competent tribunal is a recorded fact, and the applicant would therefore appear to be ineligible to receive a visa.

To grant visa facilities in this case would seem to constitute a reversal of the Court or an admission of the invalidity of its decision; that is, judicial review by administrative process. From statements made to the Visa Officer by the applicant's German counsel, Baron von PUTTKAMER, himself a former Landsberg inmate and present visa applicant at this post (see Department's OMV No. 35, February 19, 1954), it is clear that this idea is uppermost in Dr. Flick's mind in applying for a visa. It is hardly likely that he finds it necessary or even desirable to visit the United States. He is determined to obtain some form of official vindication, and his petition to the High Commissioner for review has been fruitless. Baron von Puttkamer, however, has stated that should a visa be issued, and should Dr. Flick be able to arrange his affairs to allow for a trip to the United States, he would enter the country from Canada and stay only with friends in the endeavor to avoid publicity.

The applicant has provided a letter of reference, dated February 18, 1954, from the Chancellor of the German Federal Republic, Dr. Konrad Adenauer, the key portion of which states: "I do not hesitate to declare that Herr Flick was not or is not a Nazi, Fascist or Communist; on the contrary, he has continually supported the domestic and foreign policies of my Government with all his strength". A similar letter dated the following

day has been received

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day has been received from Dr. Robert Pfordmenges, former Cologne banker and now member of the Executive Committee of the Christian Democratic faction of the Bundestag.

Dr. Flick's former American counsel, Mr. Hensel, has since been appointed General Counsel of the Department of Defense and is understood to have more recently been designated as Assistant Secretary of Defense for International Affairs. Mr. Hensel has provided a "To Whom it May Concern" letter dated February 24, 1954, the key sentence of which reads: "I believe that his visit to the United States as a temporary non-immigrant visitor will not in any way endanger the public safety or security of the United States". A copy of Mr. Hensel's letter to Dr. Conant referred to above accompanies the communication. The Consulate General understands that copies of these statements, as well as photostats of the Adenauer and Pfordmenges letters, have been furnished to the Department. One cannot help but wonder whether the appointment of his former American counsel to positions of influence in the United States Government has not encouraged Dr. Flick to seek a visa at this time.

Urgent consideration of this request for security advisory opinion is respectfully requested.

cc: SupComGen, U.S. HICOG/Bonn
Mr. Loyd V. Steere, Director, POL, U.S. HICOG/Bonn

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JASulser/rej

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